

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26588 OF 2005

Dt.15.12.2005

Between:

G.Ramakrishnaiah ... Petitioner

And

Govt. of A.P., rep. by its Prl.Secretary to Govt.

Agri.& Cooperation (V)(1) Department,

Secretariat, Hyderabad and another. ... Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned counsel on behalf of the respondents.

The petitioner submits that at his instance the election in respect of Municipally Primary Agricultural Co-operative Society was postponed by orders of the Government in G.O.Rt.No.1093 dated 24.10.2005. Thereafter the Government cancelled the earlier orders postponing the elections and requested the Commissioner for Co-operation and Registrar of Co-operative Societies to take further action to hold elections by impugned orders in G.O.Rt.No.1166 dated 3.11.2005. It is stated that at the instance of the petitioner alone the Government has postponed the elections, but without hearing the petitioner the action of the first respondent in cancelling the earlier orders is illegal and against the principles of natural justice.

Against the action of the Government in postponing the elections, W.P.No.22820 of 2005 and batch were filed and pursuant to certain

observations made by this Court directing the respondent to file counter, the Government having realized the issue in right perspective rightly cancelled the earlier orders by the impugned G.O.Rt.No.1166 dated 3.11.2005. Therefore, the said batch of writ petitions were disposed of on 3.11.2005.

I am of the opinion that there is no specific provision to give a reasonable opportunity for exercising powers for postponing the elections. However, the petitioner could not substantiate any illegality in postponing the elections and therefore the postponing of elections are rightly cancelled by the first respondent.

In view of the aforesaid facts and circumstances of the case, I do not see any merit in this writ petition and the same is accordingly dismissed. No costs.

(V.ESWARAIAH, J.)

15.12.2005

kpr